

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: INSULIN PRICING LITIGATION

**Case No. 2:23-md-03080 (BRM)(RLS)
MDL No. 3080**

**THIS DOCUMENT RELATES TO: ALL
CASES**

**JUDGE BRIAN R. MARTINOTTI
JUDGE RUKHSANAH L. SINGH**

CASE MANAGEMENT ORDER #7

**(ORDER GOVERNING MOTIONS TO DISMISS
IN THE STATE ATTORNEY GENERAL TRACK)**

This Case Management Order, jointly proposed and agreed upon by the Parties, sets forth the procedure and timeline for initial motion practice pursuant to Federal Rule of Civil Procedure 12(b) in the State AG Track cases.¹ Unless provided for herein or otherwise ordered by the Court, no other Rule 12 motions may be filed in any State AG Track case at this time:

1) The Parties shall refile the following Rule 12 motions and all related exhibits, responses, and replies in the following State AG Track cases:

a) *Illinois ex rel. Raoul v. Eli Lilly & Co. et al.*, No. 2:23-cv-04242 (D.N.J.), ECF Nos. 49–50, 52–53, 55–56, 59–62, 83–87, 100–104.

b) *Montana ex rel. Knudsen v. Eli Lilly & Co. et al.*, No. 2:23-cv-04214 (D.N.J.), ECF Nos. 84–90, 94–97, 109–113, 128–132.

2) On or before April 24, 2024, the Manufacturer Defendants, collectively, and the PBM Defendants, collectively, each will file a single, supplemental brief not to exceed seven (7)

¹ See ECF No. 34 (Case Management Order #3) at § II(2) (establishing the State AG Track and appointing Co-Lead Counsel). The cases currently pending in the State AG Track and subject to this Order are set forth in the Appendix attached hereto.

pages per state (*i.e.*, fourteen (14) pages total).

3) On or before May 24, 2024, Plaintiffs will file a response to the Manufacturer Defendants' supplemental brief and a response to the PBM Defendants' supplemental brief. Each response shall not exceed fourteen (14) pages.

4) No replies or further briefing will be permitted.

5) All briefing will be exchanged among the Parties on the dates listed herein. Upon completion, the Parties will submit the underlying motions in the above-referenced *Illinois* and *Montana* cases, along with the supplemental briefs, as a single, omnibus briefing packet.

IT IS SO ORDERED.

Dated: April 10, 2024

/s/ **Brian R. Martinotti**
BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE

Appendix

State AG Track cases as of April 4, 2024:

1. *Montana ex rel. Knudsen v. Eli Lilly & Co., et al.*, No. 2:23-cv-04214 (D.N.J.).
2. *Kansas ex rel. Kobach v. Eli Lilly & Co., et al.*, No. 2:23-cv-04219 (D.N.J.).
3. *Arkansas ex rel. Griffin v. Eli Lilly & Co., et al.*, No. 2:23-cv-04239 (D.N.J.).
4. *Illinois ex rel. Raoul v. Eli Lilly & Co., et al.*, No. 2:23-cv-04242 (D.N.J.).
5. *Mississippi ex rel. Fitch v. Eli Lilly & Co., et al.*, No. 2:23-cv-04364 (D.N.J.).
6. *Kentucky ex rel. Cameron v. Eli Lilly & Co., et al.*, No. 2:23-cv-21374 (D.N.J.).
7. *State of Louisiana v. Sanofi-Aventis U.S. LLC, et al.*, No. 2:23-cv-22978 (D.N.J.).
8. *Arizona ex rel. Mayes v. Eli Lilly & Co., et al.*, No. 2:24-cv-00260 (D.N.J.).
9. *State of Utah v. Eli Lilly & Co., et al.*, No. 2:24-cv-00536 (D.N.J.).